



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MUNETAKA TAKEUCHI, NOZOMU KAMIYA,
HIROMI HAYASHI and MAKOTO ISHITOBASHI

Application No. 08/889,440

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 15, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Appeal Brief on October 20, 2003 (Paper No. 44). The examiner entered an Examiner's Answer on January 15, 2004 (Paper No. 45). According to the examiner on page 5, section (8) of the Answer, "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, a review of the Appendix to the Brief reveals that claim 24 contains errors as follows:

Claim 24, line 4:

After "information" delete ^{Can} "--and--," and delete "include" and replace with "--includes--."

Application No. 08/889,440

Accordingly, it is

ORDERED that the application is returned to the examiner to notify appellants to submit a corrected Appendix to the Brief, or for the examiner to submit a corrected copy of claim 24 on appeal, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

CRAIG R. FEINBERG
Program and Resource Administrator
(703) 308-9797

cc: Staas and Halsey
Suite 500
700 Eleventh St., N.W.
Washington, DC 20001

DMS/clm/ts
RA04-0566